

The University of Connecticut Chapter of



THE AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS, INC.

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**TESTIMONY
SENATE BILL No.1127**

March 19, 2009

**Edward C. Marth
Executive Director**

HONORABLE CHAIRS, MEMBERS of the JOINT COMMITTEE ON JUDICIARY:

This is to support the changes sought in SB1127 by the University of Connecticut.

Time and again we have heard frustrations of faculty about the difficulty of keeping students current in their fields of study due to the restrictions of the law which mandates limiting purchases to those companies who meet the State's standard of non-discrimination. This extends even to those who are willing to donate software to the University as that requires a contract regarding use and licensing.

It has been pointed out to me by a member of the University community that in his research he found that passage of the change in the law cited a fiscal note that there was no cost to the change. This is simply not true, although OFA may have thought so at the time. The good intentions have led to a bad and costly result.

We support all efforts to eliminate discrimination of any sort. How that is done is the question today.

If it is impossible for the University of Connecticut to purchase software from a company that has not had the mandated changes in its corporate rules (even if in practice they do not discriminate in actually meeting the state standard), a third party could set up a shell company, pass corporate resolutions meeting the state standard, buy from the one that does not, mark up the product and sell to the University or another agency of the State. Simply a shell game for a profit could skirt the intentions and make the State pay more than it should.

The University spends a small fortune on enforcing non-discrimination rules, but this one is imposed and enforced at another level and ripples through to the classrooms denying timely and quality goods, chiefly, as I said, but not exclusively I am sure, in software.

Why would the state seek to add cost, deny quality to students, and call into question the advancement of an otherwise noble in purpose, but failed in tactic, objective?

The law must be changed. Its initial approval was based on false premise (cost) and its result is nothing short of disaster in implementation.

Thank you for your assistance.